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OLC 78-2607

20 July 1978

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Senate Minority Leader Howard Baker
(R., Tenn.) re Polygraph Information on Certain
Individual: [REDACTED]

25X1 1. (U) In the company of Bob Gambino, D/Sec, met with Senator Baker and his aides, Howard Liebengood and George Murphy, in follow-up of my earlier call to Liebengood concerning polygraph information on a certain individual. Mr. Gambino's briefing was similar to that earlier provided Bill Miller, Staff Director, Senate Select Committee on Intelligence, and Representatives John D. Dingell's (D., Mich.) and Morris K. Udall's (D., Ariz.) staff men, including the reasons for special handling--i.e., the information by itself could be misunderstood and misinterpreted in a manner unfair to the individual and the possibility of directing unwarranted criticism against our polygraph program.

25X1 2. (C) It is clear that Senator Baker believes he has yet to receive a satisfactory answer from the Executive Branch on [REDACTED] despite the fact that he has written three President's and three Attorney Generals about the matter and thus probably explaining his strong reaction to "additional" information on [REDACTED] from CIA. CIA is not in a position to answer the Senator's questions. This must be done by the Department of Justice and lacking definitive answers from the investigative/prosectorial side of the Government, we can expect continued interest by the Senator.

3. (C) The Senator is still bothered with why the "additional" material was not made available to him in response to his request during the previous Administration. He continues to be baffled by the Agency's

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file system and the absence of a comprehensive subject indices system. I explained our filing system is a balance between our retrieval needs to do our business and security compartmentation.

5. (C) After Senator Baker left, George Murphy continued the questioning and asked three follow-up questions: 1) to see the memo on the polygraph (Gambino had no problem with this); 2) to know, if he can, who signed the memo in the material recently reviewed by him, which indicated that the Joint Atomic Energy Committee believed that [redacted] was not within the authority of the FBI to investigate; and 3) to know if an individual named [redacted] had been formerly employed by the CI Staff.

6. (C) I would like to know whether: a) the material we made available for congressional review contained those papers suggesting a favorable inclination towards the Israelis by the individual polygraphed; b) the material for the first time contained DCI letters to the President concerning investigation of [redacted] (When I told Senator Baker that it was my understanding that the material recently reviewed was just more of the same kind of information he had previously reviewed he said this was not so and specifically cited these letters to the President.)

7. (U) I would like to meet the key people who are familiar with our [redacted] material. It is important that we provide Senator Baker a full explanation for the questions on his mind. It is also important that we determine the intent of Justice to communicate with Senator Baker on the outcome of their efforts. Also, I want to find out if it's okay with Justice for us to advise Senator Baker that the Criminal Division is looking over our [redacted] material, which I assume is in response to Senator Baker's letter to the Attorney General. Finally, we need guidance from Justice on whether they have any objection to our providing to Senator Baker any information during their investigation.

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